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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP: 330

IN RE APPLICATION OF: :  
QUINN ET AL. : GROUP: 3311  
SERIAL NO: 08/420,503 :  
FILED: APRIL 12, 1995 : EXAMINER: NASSER  
(Anticipated)  
FOR: THERMODILUTION CATHETER  
HAVING A SAFE, FLEXIBLE  
HEATING ELEMENT

SUBMITTAL OF CORRECTED  
INTERFERENCE-INITIAL MEMORANDUM

HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

Submitted herewith please find a corrected interference-initial memorandum. The only difference between this and the version previously submitted are in the box labeled "explanation of why each claim designated as corresponding to the count is directed to the same patentable invention as the count."

First the inappropriate comma after the word "Claims" in line 1 has been deleted.

Second, "37 CFR 1.601(a)" has been changed to --37 CFR 1.601(n)-- in the last line.

Respectfully submitted,



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## INTERFERENCE-INITIAL MEMORANDUM

EXAMINERS INSTRUCTIONS - This form need not be typewritten. Complete the items below and forward to the Group Clerk with all files including those benefit of which has been accorded. The parties need not be listed in any specific order. Use a separate form for each count.

(See MPEP 2309.02)

BOARD OF PATENT APPEALS AND INTERFERENCES: An interference is found to exist between the following cases:

This is count 1 of 1 count(s)

GROUP: 330

1. NAME	SERIAL NO.	FILING DATE	PATENT NO., IF ANY
QUINN ET AL.	08/420,503	April 12, 1995	NONE
The claims of this party which correspond to this count are: 45-58		The claims of this party which <u>do not</u> correspond to this count are: None	

*Accorded benefit of: COUNTRY	SERIAL NO.	FILING DATE	PATENT NO., IF ANY
UNITED STATES	08/049,231	April 19, 1993	None
UNITED STATES	07/647,578	January 29, 1991	None

2. NAME	SERIAL NO.	FILING DATE	PATENT NO., IF ANY
GALLUP et al.	914,279	July 16, 1992	5,435,308
The claims of this party which correspond to this count are: 1-20		The claims of this party which <u>do not</u> correspond to this count are: None	

*Accorded benefit of: COUNTRY	SERIAL NO.	FILING DATE	PATENT NO., IF ANY
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If a claim of any party is exactly the same as this count, it should be circled above. If not, type the count in this space (attach additional sheet if necessary):

Claim 1 of the Gallup et al. patent OR claim 11 of the Gallup et al. patent OR claim 16 of the Gallup et al. patent OR claim 45 of the Quinn et al. application OR claim 57 of the Quinn et al. application OR claim 58 of the Quinn et al. application.

Explanation of why each claim designated as corresponding to the count is directed to the same patentable invention as the count:

Claims 1, 11, and 16 of the Gallup et al. patent and claims 45, 57, and 58 of the Quinn et al. application each corresponds identically to a portion of the proposed count. While claims 2-10, 12-15, and 17-20 in the Gallup et al. patent and claims 46-56 in the Quinn et al. application do not correspond identically to any portion of the proposed count, each of those claims depends from a claim which does correspond identically to a portion of the proposed count, and none of those claims adds any limitations which would cause it to define a separate patentable invention within the meaning of 37 CFR 1.601(n).

\*The serial number and filing date of each application the benefit of which is intended to be accorded must be listed. It is not sufficient to merely list the earliest application necessary for continuity.

DATE	PRIMARY EXAMINER	TELEPHONE NO.	ART UNIT
NOTE: FORWARD ALL FILES INCLUDING THOSE BENEFIT OF WHICH IS BEING ACCORDED.		GROUP DIRECTOR SIGNATURE (if required)	

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Group Art Unit: 3311  
Our Ref: 4544-011-25 DIV

HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS  
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Re: Inventor: QUINN ET AL.  
Serial No.: 08/420,503  
Filed: APRIL 12, 1995  
For: THERMODILUTION CATHETER HAVING A  
SAFE, FLEXIBLE HEATING ELEMENT

Sir:

Attached hereto for filing are the following papers:

SUBMITTAL OF CORRECTED INTERFERENCE-INITIAL MEMORANDUM.

Our check in the amount of \$00.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully submitted,

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